



Attorney Ref. No.: 09800080-0003  
Client Ref. No.: Genentech Ref. P1887R1-1 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Sean H. Adams, et al. DOCKET NO.: 09800080-0003  
SERIAL NO.: 09/888,264 GROUP ART UNIT: 1635  
DATE FILED: June 22, 2001 EXAMINER: Jon E. Angell  
INVENTION: "CONTROL OF METABOLISM WITH HUMAN  
2-OXOGLUTARATE CARRIER"

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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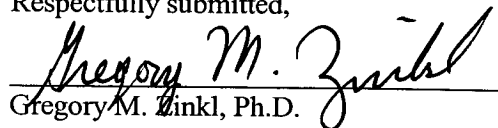
Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56, Applicants request that citation and examination of the references identified on the attached PTO-1449 form, copies of which are enclosed herewith in accordance with 37 C.F.R. § 1.98, be made during the course of examination of the above-referenced application for United States Letters Patent.

**EXPLANATION OF RELEVANCE**

References A2, B3, C22, C32, and C42 were cited in International Search Report mailed from European Patent Office on June 22, 2001 in counterpart International Patent Application No. PCT/US01/20117, now Publication No. WO 01/98355. References B1, B2, C21, C22, and C42 were cited in International Search Report mailed from European Patent Office on June 22, 2001 in counterpart International Patent Application No. PCT/US01/20020, now Publication No. WO 01/98512. Copies of both International Search Reports are also enclosed. The remaining references are being submitted for the Examiner's consideration.

Respectfully submitted,

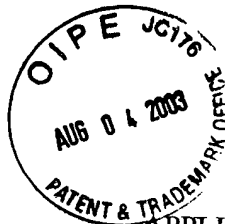
  
Gregory M. Zinkl, Ph.D.

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Scientific Advisor and Registered Patent Agent

31 July \_\_\_\_\_, 2003

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INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

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Commissioner for Patents  
P.O. Box 1450, Alexandria  
VA 22313-1450

Sir:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. This Information Disclosure Statement is submitted:

- ☐ Within 3 months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)
- ☒ After the mailing date of a first Office Action but before (1) mailing of a final action under 37 C.F.R. §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.
- ☒ Payment for the fee set forth in 37 C.F.R. §1.17(p) accompanies this submission; or
- ☐ The certification specified in 37 C.F.R. §1.97(e) is made below. (No fee is required.)
- ☐ After the mailing of (1) a final action under 37 C.F.R. §1.113; or (2) a notice of allowance under 37 C.F.R. §1.311 whichever occurs first, but **before** payment of the issue fee. The certification specified in 37 C.F.R. §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 C.F.R. §1.17(i)(1) accompanies this submission.
- ☐ The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ PTO Form 2038 to charge filing fee of \$180.00 to Sonnenschein's American Express Account.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees which may be required, or credit any overpayment to Account No. 19-3140. *A duplicate copy of this sheet is enclosed for this purpose.*

Very respectfully,

SONNENSCHN NATH & ROSENTHAL LLP

By Gregory M. Zind, Reg. 48,492  
Gregory M. Zind, Ph.D.

Sonnenschein, Nath & Rosenthal LLP  
P.O. Box 061080, Wacker Drive Station, Sears Tower  
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Telephone (312) 876-8000

When phoning re this application,  
please call (312) 876-8936.

CERTIFICATE OF MAILING

I hereby certify that this Information Disclosure Statement is being deposited with the United States Postal Service in an envelope addressed to Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. on July 31 2003.

Doris M. Paino  
Doris M. Paino

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	09/888,264
				Filing Date	June 22, 2001
				First Named Inventor	Sean H. Adams, et al.
				Group Art Unit	1635
				Examiner Name	Jon E. Angell
Sheet	1	of	5	Attorney Docket Number	09800080-0003

U.S. PATENT DOCUMENTS						
Examiner Initials*	CiteNo. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	5,364,934		D. Drayna, <i>et al.</i>	11-15-1994	
	A2	6,132,973		P. Lal, <i>et al.</i>	10-17-2000	

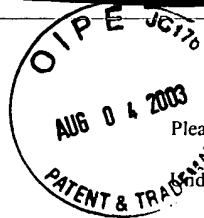
FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>2</sup> (if known)			
	B1		WO 99/00123	A1	P. Lind, et al.	01-07-1999	
	B2		WO 99/64458	A1	B. Corkey, et al.	12-16-1999	
	B3		WO 00/04037	A1	K. Albrandt, et al.	01-27-2000	
	B4		WO 00/61614	A2	S. Ruben, et al.	10-19-2000	
	B5		WO 01/98355	A2	D. Lewin, et al.	12-27-2001	
	B6		WO 01/98512	A2	S. Adams, et al.	12-27-2001	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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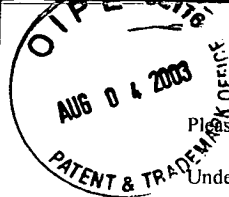
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>			
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Sheet	2	of	6
		<b>Complete if Known</b>	
Application Number		09/888,264	
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Group Art Unit		1635	
Examiner Name		Jon E. Angell	
Attorney Docket Number		09800080-0003	
<b>OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	CiteNo. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog <i>etc.</i> ), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	Adams, S., "Uncoupling Protein Homologs: Emerging Views of Physiological Function," <i>J Nutr.</i> 130:711-714 (2000).	
	C2	Boss, O., S. Samec, A. Paoloni-Giacobino, C. Rossier, <i>et al.</i> , "Uncoupling protein-3: a new member of the mitochondrial carrier family with tissue-specific expression," <i>FEBS Letters</i> , 408:39-42 (1997).	
	C3	Bouillaud, F., D. Ricquier, J. Thibault, and J. Weissenbach, "Molecular Approach to Thermogenesis in Brown Adipose Tissue: cDNA Cloning of the Mitochondrial Uncoupling Protein," <i>Proc. Natl. Acad. Sci.</i> , 82(2):445-448 (1985).	
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	C5	Bray, G., "Progress in Understanding the Genetics of Obesity." <i>J Nutr.</i> , 127:940S-942S (1997).	
	C6	Carter, P., H. Bedouelle, and G. Winter, "Improved oligonucleotide site-directed mutagenesis using M13 vectors," <i>Nucl. Acids Res.</i> , 13:4431-4443 (1985).	
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	C8	Chothia, C., "The Nature of the Accessible and Buried Surfaces in Proteins," <i>J. Mol. Biol.</i> , 105:1-14 (1976).	
	C9	Creighton, "Posttranslational Covalent Modifications of Polypeptide Chains," in "Proteins: Structure and Molecular Properties," (W.H., Freeman & Co.) (San Fran., CA), pp. 78-86 (1983).	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet 3 of 6

### Complete if Known

Application Number	09/888,264
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First Named Inventor	Sean H. Adams, <i>et al.</i>
Group Art Unit	1635
Examiner Name	Jon E. Angell
Attorney Docket Number	09800080-0003

### OTHER ITEMS - NON PATENT LITERATURE DOCUMENTS

C10	Cunningham, B. and J. Wells, "High-Resolution Epitope Mapping of hGH-Receptor Interactions by Alanine-Scanning Mutagenesis," <i>Science</i> , 244:1081-1085 (1989).
C11	Fleury, C., M. Neverova, S. Collins, S. Raimbault, <i>et al.</i> , "Uncoupling protein-2: a novel gene linked to obesity and hyperinsulinemia," <i>Nat. Genet.</i> , 15:269-272 (1997).
C12	Gimeno, R., M. Dembski, X. Weng, N. Deng, <i>et al.</i> , "Cloning and Characterization of an Uncoupling Protein Homolog. A Potential Molecular Mediator of Human Thermogenesis," <i>Diabetes</i> , 46:900-906 (1997).
C13	Goldstein, S. and D. Elwyn, "The effects of injury and sepsis on fuel utilization," <i>Annu. Rev. Nutr.</i> , 9:445-473 (1989).
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C15	Gura, T., "Uncoupling Proteins Provide New Clue to Obesity's Causes," <i>Science</i> , 280:1369-1370 (1998).
C16	Hill, J. and J. Peters, "Environmental Contributions to the Obesity Epidemic," <i>Science</i> , 280:1371-1374 (1998).
C17	Iacobazzi, V., <i>et al.</i> GenBank Accession No. NM_003562 (1992).
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C22	Kinney, J., J. Duke, Jr., C. Long, and F. Gump, "Tissue fuel and weight loss after injury." <i>J. Clin. Path.</i> , 23(4):65-72 (1970).

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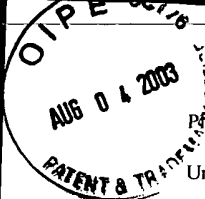
## **Complete if Known**

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First Named Inventor	Sean H. Adams, et al.
Group Art Unit	1635
Examiner Name	Jon E. Angell
Attorney Docket Number	09800080-0003

## **OTHER ITEMS - NON PATENT LITERATURE DOCUMENTS**

C23	Lai, C., C. Chou, L. Ch'ang, C. Liu, and C. Liu, <i>et al.</i> , GenBank Accession No. AF151827 (2000).
C24	Lai, C., C. Chou, L. Ch'ang, C. Liu, and W. Lin, "Identification of Novel Human Genes Evolutionarily Conserved in <i>Caenorhabditis elegans</i> by Comparative Proteomics," <i>Genome Res.</i> , 10:703-713 (2000).
C25	Mao, W., X. Yu, A. Zhong, W. Li, <i>et al.</i> "UCP4, a novel brain-specific mitochondrial protein that reduces membrane potential in mammalian cells," <i>FEBS Lett.</i> 443:326-330 (1999).
C26	Must, A., J. Spadano, E. Coakley, A.E. Field, <i>et al.</i> "The Disease Burden Associated With Overweight And Obesity." <i>JAMA.</i> , 282:1523-1529 (1999).
C27	Nicholls, D. and R. Locke, "Thermogenic Mechanisms in Brown Fat," <i>Physiol. Rev.</i> , 64:1-64 (1984).
C28	Palmieri, F., F. Bisaccia, L. Capobianco, V. Dolce, <i>et al.</i> , "Transmembrane Topology, Genes, and Biogenesis of the Mitochondrial Phosphate and Oxoglutarate Carriers," <i>J. Bioenerg. Biomemb.</i> , 25(5)493-501 (1993).
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C30	Piccininni, S., V. Iacobazzi, G. Lauria, M. Rocchi, and F. Palmieri, "Assignment of the oxoglutarate carrier gene (SLC20A4) to human chromosome 17p13.3," <i>Cytogenet. Cell Genet.</i> , 83:256-257 (1998).
C31	Poutska, A., M. Klein, H. Mewes, J. Gassenhuber, and S. Wiemann, GenBank Accession No. AL133584 (1999).
C32	Ricquier, D., L. Casteilla, and F. Bouillaud, "Molecular studies of the uncoupling protein," <i>FASEB J.</i> 5:2237-2242 (1991).
C33	Rolfe, D., A. Hulbert, and M. Brand, "Characteristics of mitochondrial proton leak and control of oxidative phosphorylation in the major oxygen-consuming tissues of the rat," <i>Biochim. Biophys. Acta.</i> , 1118:405-416 (1994).
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C35	Runswick, M., J. Walker, F. Bisaccia, V. Iacobazzi, and F. Palmieri, GenBank Accession No. AAA30672 (1990).

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Sheet 5 of 6

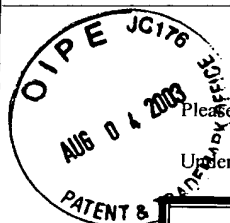
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Group Art Unit	1635
Examiner Name	Jon E. Angell
Attorney Docket Number	09800080-0003

### OTHER ITEMS - NON PATENT LITERATURE DOCUMENTS

C36	Sanchis, D., C. Fleury, N. Chomiki, M. Goubern, <i>et al.</i> , "BMCP1, a Novel Mitochondrial Carrier with High Expression in the Central Nervous System of Humans and Rodents, and Respiration Uncoupling Activity in Recombinant Yeast," <i>J. Biol. Chem.</i> , 273(51):34611-34615 (1998).
C37	Shimkets, R., D. Lowe, J. Tai, P. Sehl, <i>et al.</i> , "Gene expression analysis by transcript profiling coupled to a gene database query," <i>Nat. Biotechnol.</i> , 17:798-803.
C38	Solanes, G., A. Vidal-Puig, D. Grujic, J. Flier, and B. Lowell, "The Human Uncoupling Protein-3 Gene," <i>J. Biol. Chem.</i> , 272(41):25433-25436 (1997).
C39	Tisdale, M., "Cancer Cachexia: Metabolic Alterations and Clinical Manifestations," <i>Nutrition</i> , 13:1-7 (1997) (page 7 is currently unavailable from publisher).
C40	Vidal-Puig, A., G. Solanes, D. Grujic, J. Flier, <i>et al.</i> , "UCP3: An Uncoupling Protein Homologue Expressed Preferentially and Abundantly in Skeletal Muscle and Brown Adipose Tissue," <i>Biochem. Biophys. Res. Comm.</i> , 235:79-82 (1997).
C41	Walker, J. and M. Runswick, "The Mitochondrial Transport Protein Superfamily," <i>J. Bioenerg. Biomemb.</i> , 25(5):435-446 (1993).
C42	Wells, J., M. Vasser, and D. Powers, "Cassette mutagenesis: an efficient method for generation of multiple mutations at defined sites," <i>Gene</i> , 34:315-323 (1985).
C43	Wells, J., B. Cunningham, T. Graycar, and D. Estell, "Importance of Hydrogen-Bond Formation in Stabilizing the Transition State of Subtilisin," <i>Philos. Trans. R. Soc. London Ser. A.</i> , 317:415-423 (1986).
C44	Wolf, G., "A New Uncoupling Protein: A Potential Component of the Human Body Weight Regulation System," <i>Nutr. Rev.</i> , 55:178-179 (1997).
C45	Yu, X., J. Barger, B. Boyer, M. Brand, <i>et al.</i> , "Impact of endotoxin on UCP homolog mRNA abundance, thermoregulation, and mitochondrial proton leak kinetics," <i>Am. J. Physiol. Endocrinol. Metab.</i> 279:E433-E446 (2000).
C46	Yu, X., W. Mao, A. Zhong, P. Schow, <i>et al.</i> , "Characterization of novel UCP5/BMCP1 isoforms and differential regulation of UCP4 and UCP5 expression through dietary or temperature manipulation." <i>FASEB J.</i> , 14:1611-1618 (2000).
C47	Zhang, C., T. Hagen, V. Mootha, L. Sliker, and B. Lowell, "Assessment of uncoupling activity of uncoupling protein 3 using a yeast heterologous expression system," <i>FEBS Lett.</i> , 449:129-134 (1999).

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<b>OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS</b>					
	C48	Zoller, M. and M. Smith, "Oligonucleotide-directed mutagenesis using M13-derived vectors: an efficient and general procedure for the production of point mutations in any fragment of DNA," <i>Nucl. Acids Res.</i> , 10:6487-6501 (1982).			

Examiner Signature		Date Considered	
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